

The Gazette of India



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NEW DELHI, SATURDAY, JUNE 4, 1960/JAISTHA 14, 1882

NOTICE

The undermentioned Gazette of India Extraordinary was published upto the 24th May 1960 :—

Issue No.	No. and date	Issued by	Subject
107	S. O. 1313, dated the 24th May, 1960.	Ministry of Information and Broadcasting	Approval of films specified therein.

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 24th May 1960

S.O. 1399.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Gujarat, hereby nominates Shri J. L. Jadeja, I.A.S. as the Chief Electoral Officer for the State of Gujarat with effect from the date he takes over charge and until further orders.

[No. 154/4/60.]

By order

S. C. ROY, Secy.

MINISTRY OF HOME AFFAIRS*New Delhi, the 23rd May 1960*

S.O. 1400.—In exercise of the powers conferred by section 3(2) (a) of the Special Marriage Act, 1954 (No. 43 of 1954) and in partial modification of the Ministry of Home Affairs Notification No. F.11(1)/60-K, dated the 18th March, 1960, the Central Government hereby appoints until further orders the Income-tax Officer, A Ward, Srinagar as the Marriage Officer for the State of Jammu and Kashmir in addition to his duties.

[No. F.11/1/60-K.]

New Delhi, the 25th May 1960

S.O. 1401.—In pursuance of sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control & Appeal) Rules, 1957, the President hereby makes the following amendment in the notification of Government of India in the Ministry of Home Affairs No. S.R.O. 628, dated the 28th February, 1957, namely:—

In Part II of the Schedule to the said notification, under the heading "Intelligence Bureau", for the sub-heading "Subsidiary Intelligence Bureau" in column 1, the following sub-heading shall be substituted, namely:—

"Subsidiary Intelligence Bureau—Headquarters, Office of the Assistant Directors, and Central Intelligence Officers' Organisations."

[No. F.15/4/60-VIG.]

T. C. A. RAMANUJACHARI, Dy. Secy.

New Delhi, the 30th May 1960

S.O. 1402.—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Rani Sanyukta Devi, widow of the late Raja Mahant Digvijayadas of Rajnandgaon, for the purposes of that entry and directs that the exemption shall be valid in respect of one pistol, two B.L. Guns and four B.L. Rifles.

[No. 16/10/60-P.IV.]

R. K. SHASTRI, Under Secy.

MINISTRY OF FINANCE**(Department of Expenditure)***New Delhi, the 27th May 1960*

S.O. 1403.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to make the following amendment in the Delegation of Financial Powers Rules, 1958, namely:—

Amendment No. 35

In the said rules, in schedule VII the following may be substituted for the existing entry [as inserted *vide* this Ministry's Notification No. F.12(1)-E.II(A)/60.

dated 13th January, 1960] defining the powers of the Departments of the Central Government relating to deficiencies and depreciation in the value of stores:—

Deficiencies and depreciation in the value of stores included in the stock and other accounts.

Ministry of Food and Agriculture (Deptt. of Food).

(i) Losses on (a) food-grains (b) sugar (c) stores (e.g. gunny bags) connected with receipt, transport, storage and sale of foodgrains and sugar—Rs. 25,000/-

(ii) Other Cases—
Rs. 10,000

Other Departments of the Central Government

Rs. 10,000.

[No. F.12(1)-E.II(A)/60.]

K. P. SIRCAR, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 27th May, 1960

S. O. 1404.—Statement of the Affairs of the Reserve Bank of India, as on the 20th May, 1960.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	22,25,91,000
Reserve Fund	80,00,00,000	Rupee Coin	1,78,000
National Agricultural Credit (Long-term Operations) Fund	30,00,00,000	Subsidiary Coin	4,98,000
National Agricultural Credit (Stabilisation) Fund	4,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal . . . . .	..
(a) Government :		(b) External . . . . .	..
(1) Central Government	57,99,14,000	(c) Government Treasury Bills	26,47,44,000
(2) Other Governments	29,47,48,000	Balances held abroad*	11,65,84,000
(b) Banks	94,24,34,000	**Loans and Advances to Governments	51,30,72,000
(c) Others	97,79,07,000	Other Loans and Advances †	114,78,43,000
Bills Payable	17,31,53,000	Investments	231,77,43,000
Other Liabilities	57,84,62,000	Other Assets	15,33,65,000
TOTAL	473,66,18,000	TOTAL	473,66,18,000

*Includes cash & short term securities.

** Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 13,71,91,000/- advanced to scheduled banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act.

Dated the 25th day of May, 1960.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 20th day of May 1960.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	22,25,91,000		A. Gold Coin and Bullion :—		
Notes in circulation	<u>1880,05,51,000</u>		(a) Held in India	117,76,03,000	
Total Notes issued		1902,31,42,000	(b) Held outside India . . . . .	..
			Foreign Securities	<u>163,00,89,000</u>	
			TOTAL OF A		280,76,92,000
			B. Rupee Coin		125,14,51,000
			Government of India Rupee Securities		<u>1496,39,99,000</u>
			Internal Bills of Exchange and other commercial paper . . . . .		..
TOTAL LIABILITIES		<u>1902,31,42,000</u>	TOTAL ASSETS		<u>1902,31,42,000</u>

Dated the 25th day of May 1960.

M. V. RANGACHARI,
Deputy Governor.

[No. F. 3(2)-BC/60.]

New Delhi, the 30th May 1960

S.O. 1405.—In pursuance of clause (a) of sub-section (1) of section 19 of the State Bank of India Act, 1955, (23 of 1955), the Central Government hereby appoints Prof. D. G. Karve, Suyog, 899/1, Shivaji Nagar, Poona-4, as Vice-Chairman of the State Bank of India for a period of two years with effect from the date on which he assumes charge of his office.

[No. F. 8/43/60-S.B.]

A. BAKSI, Jt. Secy.

(Department of Economic Affairs)

CORRIGENDUM

New Delhi, the 24th May 1960

S.O. 1406.—In this Ministry's notification No. 4(31)-BC/60 dated 3rd May, 1960, published as S.O. 1169, *for* the words.

"the Nedungadi Bank Ltd., Nedungadi", *substitute* the words.

"the Nedungadi Bank Ltd. Kozhikode".

[No. F.4(31)/BC.60.]

D. N. GHOSH, Under Secy.

(Department of Revenue)

ORDERS

STAMPS

New Delhi, the 26th May 1960

S.O. 1407.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits prospectively the duty with which the sale deed to be executed in favour of the Embassy of Turkey in India in respect of the Plot No. 4, in Block No. 50-N in Chanakyapuri, New Delhi, is chargeable under the said Act.

[No. 4.]

S.O. 1408.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the lease deed to be executed by or on behalf of the High Commission for New Zealand in India in respect of premises No. 28, Nizamuddin East, New Delhi, is chargeable under the said Act.

[No. 5.]

P. T. SIPAHIMALANI, Under Secy.

**OFFICE OF THE ASSTT. COLLECTOR OF CENTRAL EXCISE AND LAND
CUSTOMS, GOA FRONTIER DIVISION, BELGAUM.**

NOTICES

Belgaum, the 26th May 1960

S. O. 1409.—Whereas it appears that the goods as mentioned in the undermentioned table seized in the vicinity of the Indo-Goa border, were imported from Goa (Portuguese possession in India) in contravention of the Rules and Notifications as mentioned against each:

Sl. No.	Date & Place of seizure	By whom detected	Description of goods	Qty.	Rules contravened
95/60	13-3-60 at Belgaum Rly. Station.	Inspector of Customs & C. Ex., Flying Squad, Londa.	(1) "Fountain" "Brand interchan-gable plastic torch & Fan made in Hong-kong. (2) One trunk (3) Champion Spark plugs made in England. (4) Card-Board Box (5) Hold-all. (6) Chaddar old (7) Kambal.	47 1 36 Boxes each of 10 plugs 1 1 1 1	Sec. 5 (1) of Land Customs Act 1924 & the Govt. of India, Ministry of Commerce & Indus-try, Import Con-trol Order No. 17/55 dt. 7-12-55 issued under Sec. 3 (a) and 4-A of the Imports and Ex-ports Control Act, 1947 and deemed to have been issued under Sec. 19 of the Sea Customs Act, 1878. Do.
117/60	5-4-60 Mudra Tita Between Ch. Nos. 67 & 68.	Insp. of C. Excise, Chorla (Jamadar of Ch. No. 68).	(1) Press Buttons Made in Germany.	540 Gross.	

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Sec. 5 (3) of the Land customs Act 1924 read with Section 167 (8) and 168 of the Sea Customs Act 1878 and why a penalty should not be imposed on him under Section 7(1) (c) of the L. C. Act 1924 read with Sec. 167(8) of the Sea Customs Act 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Govt. of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII (b) 10-95, 117/60].

S.O. 1410.—Whereas it appears that the goods mentioned in the undermentioned table seized in the vicinity of the Indo Goa border were about to be exported to Goa (Portuguese possession in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & Place of seizure	By whom detected	Description of goods	Quantity	Rules contravened.
1.	28/1/1960 at Mudasbag	Jamadar, C. Ex. Ch. No. 28 and his Staff.	(1) She Buffalores (2) He buffalo (3) Bullocks.	Two One Five	Sec. 5(1) of the Land Customs Act 1924 and Govt. of India, Ministry of Commerce and Indus-try, Export Control Order No. 1/58 dated 1/5/58 issued under Sec. 3 and 4-A of the Imports and Exports Control Act 1947.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum, why the above mentioned live-stock should not be confiscated under Section 5(3) of the Land Customs Act 1924 read with Section 167(8) of the Sea Customs Act 1878 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act 1924 read with Section 167(8) of the Sea Customs Act 1878.

If such an owner fails to turn up to claim the above mentioned unclaimed live-stock or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Govt. of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-115/60].

E. R. SRIKANTIA, Assistant Collector.

MINISTRY OF COMMERCE & INDUSTRY

Bombay, the 24th May 1960

S.O. 1411.—In exercise of the powers conferred on me by Clause 14-A of the Cotton Control Order, 1955, I hereby direct that the following amendment shall be made in the Textile Commissioner's Notification, dated the 13th May, 1960, namely:—

In the said notification, the words and figure "exceeding 800 lbs. in quantity" in paragraph 1 shall be deleted.

Sd./- D. S. JOSHI,
Textile Commissioner.

[No. 24(14)-TEX(A)/59.]

HARGUNDAS, Under Secy.

New Delhi, the 30th May 1960

S.O. 1412/IDRA/6/16.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Prabhakar Tripathi, as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce & Industry S.O. 129 dated the 12th January, 1960, for the scheduled industries engaged in the manufacture or production of leather, leather goods and pickers, and directs that the following amendment shall be made in the said Order, namely:—

(i) In paragraph 1. of the said Order after entry No. 20-B relating to Shri A. C. Nanda, the following entry shall be inserted,

<p>"20-C Shri Prabhakar Tripathi, Working President, Kanpur Chamra Mill Karamchari Sangh, 11/365 Souterganj, Kanpur.</p>	<p>"Persons employed in industrial undertakings,</p>	<p>"Member"</p>
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(ii) Paragraph 1(b) shall be deleted

[No. 4(2)IA(IV)/60.]

ORDER.

New Delhi, the 31st May 1960

S.O. 1413/DCPR.—In pursuance of clause (c) of Rule 2 of the Development Councils (Procedural) Rules, 1952 and in supersession of the Order of the Government of India in the Ministry of Commerce and Industry S.O. 715 dated

the 28th March, 1959, the Central Government hereby appoints Shri B. K. Shahani, Assistant Director, Office of the Textile Commissioner, Bombay, as Secretary to the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry S.O. 2506/IDRA/6/11 dated the 3rd November, 1959 published in part II Section 3 sub-section (ii) of the Gazette of India dated the 7th November, 1959, for the scheduled industries engaged in the manufacture and production of textiles made of artificial silk, including artificial silk yarn, vice Shri D. H. Vohra, who has left for Europe on deputation for training under the Colombo Plan.

[No. 4(11)IA(IV)/59.]

NARNARAIN SINGH, Under Secy.

(Office of the Joint Chief Controller of Imports and Exports)

ORDERS

Bombay, the 18th March 1960

S.O. 1414.—Whereas Messrs. Patel Bangle Works, Vayudev Galli, Mandpeshwar Road, Borivli, Bombay or any bank or any other person have not come forward furnishing sufficient cause, against Notice No....., dated....., proposing to cancel licence No. A-927559, dated 4-6-1959 valued at Rs. 787/- for the import of C.N. Sheets from the Soft Currency Area except South Africa, granted to the said Messrs. Patel Bangle Works, Bombay by the Joint Chief Controller of Imports, Bombay, Government of India, in the Ministry of Commerce and Industry, in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, hereby cancel the said licence No. A-927559, dated 4-6-1959, issued to the said Messrs. Patel Bangle Works, Vayudev Galli, Mandpeshwar Road, Borivli, Bombay.

[No. P-217/1-59/AU.7.]

S.O. 1415.—Whereas Messrs. Patel Bangle Works, Vayudev Galli, Mandpeshwar Road, Borivli, Bombay or any bank or any other person have not come forward furnishing sufficient cause, against Notice No....., dated....., proposing to cancel licence No. A-927558, dated 4-6-1959 valued at Rs. 1,088/- for the import of A.C. Base Film Scraps from the Soft Currency Area except South Africa granted to the said Messrs. Patel Bangle Works, Bombay by the Joint Chief Controller of Imports and Exports, Bombay, Government of India, in the Ministry of Commerce and Industry, in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, hereby cancel the said licence No. A-927558, dated 4-6-1959 issued to the said Messrs. Patel Bangle Works, Vayudev Galli, Mandpeshwar Road, Borivli, Bombay.

[No. P-218/1-59/AU.7.]

S.O. 1416.—Whereas Messrs. Patel Bangle Works, Vayudev Galli, Mandpeshwar Road, Borivli, Bombay or any bank or any other person have not come forward furnishing sufficient cause, against Notice No....., dated....., proposing to cancel licence No. A-927688, dated 19-6-1959 valued at Rs. 619/- for the import of Tetrachlorothene from the Soft Currency Area except South Africa granted to the said Messrs. Patel Bangle Works, Vayudev Galli, Borivli, Bombay by the Joint Chief Controller of Imports, Bombay, Government of India, in the Ministry of Commerce and Industry in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, hereby cancel the said licence No. A-927688, dated 19-6-1959 issued to the said Messrs. Patel Bangle Works, Vayudev Galli, Borivli, Bombay.

[No. P-219/1-59/AU.7.]

D. CHATTERJIE, Dy. Chief Controller.

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 21st May 1960

S.O. 1417.—Whereas Licence No. A-954091/57/AU/CCI/HQ, dated the 27th April 1959 valued at Rs. 5,000/- for the import of Aristo Slide Rules from the Soft Currency Area except South Africa, granted to the Director, Bihar Institute of Technology, Sindri Institute, District Dhanbad was returned for cancellation to the office of the Chief Controller of Imports & Exports, New Delhi, Government of India, in the Ministry of Commerce and Industry, in exercise of the powers conferred by Clause 9 of the Imports (Control) Order, 1955, hereby cancel the said Licence No. A-954091/57/AU/CCI/HQ, dated the 27th April 1959, issued to the said Director, Bihar Institute of Technology, Sindri Institute, District Dhanbad.

[No. 318/I(2)/HQ/59/1957.]

D. D. BHARGAVA, Dy. Chief Controller.

(Indian Standards Institution)

New Delhi, the 24th May 1960

S.O. 1418.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that three licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Sl. No.	Licence No. and date	Period of Validity		Name and Address of the Licensee	Article/Process covered by the Licence	Relevant Indian Standard
		From	To			
1	CM/L-87 22-5-1958	2-6-1960	1-6-1961	M/s. Bagdogra Plywood Factory, Bagdogra District Darjeeling (West Bengal)	Tea-Chest Plywood Panels	IS:10-1953 Specification for Plywood Tea-Chests (Revised)
2	CM/L-123 21-5-1959	1-6-1960	31-5-1961	The Eastern Plywood Co. Private Ltd., Pappinisseri (Kerala State).	Do.	Do.

Sl. No.	Licence No. and date	Period of Validity		Name and Address of the Licensee	Article/Process covered by the License	Relevant Indian Standard
		From	To			
3	CM/L-124 21-5-1959	1-6-1960	31-5-1961	M/s. Western India Plywoods Ltd., Bali-apatam, Cannanore Dist. (Kerala State).	Tea-Chest Plywood Panels	IS:10-1953 Specification for Plywood Tea-Chests (Revised)

[No. MD/12:213]

New Delhi, the 26th May 1960

S.O. 1419.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fees per unit for certain products/classes of products, details of which are given in the Schedule hereto annexed, have been determined and the fees shall come into force with effect from 1st June 1960.

THE SCHEDULE








Sl. No.	Product/Class of Products	No. and Title of relevant Indian Standard	Unit	Marking Fee per unit	Remarks
1.	Commercial (Common) and Moisture-Proof Plywood.	IS: 303-1951 Specification for Commercial (Common, and Moisture-Proof Plywood (<i>Tentative</i>).	One hundred square feet.	Nil.	Contribution to the Plywood Industry Voluntary Contribution Fund would continue to be made to the Development Wing, Ministry of Commerce and Industry.
2. (i)	Zinc Chloride, Battery Grade.	IS:701-1955 Specification for Zinc Chloride, Battery and Technical Grades.	One Metric Tonne	Rs. 10.00, with a minimum of Rs. 1,000 for production during a calendar year.	
(ii)	Zinc Chloride, Technical Grade				



[No. MD/18:2.]

S.O. 1420.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Marks, designs of which together with the verbal description of the designs and the titles of the relevant Indian Standards are given in the Schedule hereto annexed, have been specified.

These Standard Marks, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952, and the rules and regulations framed thereunder, shall come into force with effect from 1st June, 1960.

THE SCHEDULE

Serial No. (1)	Design of the Standard Mark (2)	No. and Title of relevant Indian Standard (3)	Verbal description of the design of the Standard Mark (4)
1.	<p>IS:303</p>  <p>COM I</p> <p>IS:303</p>  <p>COM II</p> <p>IS:303</p>  <p>COM III</p> <p>IS:303</p>  <p>COM IV</p> <p>IS:303</p>  <p>MPF I</p> <p>IS:303</p>  <p>MPF II</p> <p>IS:303</p>  <p>MPF III</p>	<p>S : 303- 1951 Specification for Commercial (common) and Moisture-Proof Plywood (<i>Tentative</i>).</p>	<p>The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number, designation of the Indian Standard being superscribed on the top side of the monogram and the relevant IS grade designation being subscribed under the bottom side of the monogram as indicated in the design.</p>

(1)	(2)	(3)	(4)
2.	<p>IS:701</p>  <p>BATTERY</p> <p>IS:701</p>  <p>TECHNICAL</p>	IS : 701-1955 Specification for Zinc Chloride, Battery and Technical Grades.	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being superscribed on the top side of the monogram and the relevant IS grade designation being subscribed under the bottom side of the monogram as indicated in the design.

[No. MD/17:2]

New Delhi, the 30th May 1960

S.O. 1421.—In modification of the rate of marking fee for Waterproof Packing Paper, notified in the Schedule annexed to the Ministry of Commerce and Industry (Indian Standards Institution) Notification No. S.O. 2329 dated the 16th October, 1959, published in the *Gazette of India*, Part II, Section 3, Sub-Section (ii) dated 24th October, 1959, the Indian Standards Institution hereby notifies that the marking fee per unit for Waterproof Packing Paper, details of which are given in the Schedule hereto annexed, has been amended. The amended rate of marking fee shall come into force with effect from 1st July, 1960.

THE SCHEDULE

Product/Class of Product	No. and Title of the Relevant Indian Standard	Unit	Marking Fee per unit as amended
(1)	(2)	(3)	(4)
Waterproof Packing Paper	IS : 293-1951 Code of Seaworthy Packaging of Cotton Textiles.	One Roll of 100 yds.	6.5 naye Paisa, with a minimum of Rs. 1,000 for production during a calendar year.

[No. MD/18 : 2.]

C. N. MODAWAL, Dy. Director (Marks)

MINISTRY OF STEEL, MINES AND FUEL

(Department of Mines and Fuel)

New Delhi, the 26th May 1960

S.O. 1422.—Whereas by the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. No. 1159 dated the 13th June, 1958 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands measuring 4770 Acres in the locality specified in the Schedule appended to that notification and reproduced in the Schedule appended hereto;

And whereas in respect of the above lands no notice under sub-section (1) of section 7 of the said Act has been given;

Now, therefore, in exercise of the powers conferred by the said sub-section (1) of section 7, the Central Government hereby specifies a further period of one year commencing from the 13th June, 1960, as the period within which the Central Government may give notice of its intention to acquire the said lands or any rights in or over such lands.

The map of the area can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Section), "Darbhanga House", Ranchi or at the office of the Collector, Sahdol (M.P.) or at the office of the Coal Controller, 1, Council House Street, Calcutta.

SCHEDULE

Plan No. HQ/LA/26A.

SOHAGPUR COALFIELD—BLOCK VII

Village	Tahsil	Village No.	District	Area	Remarks
Bhagta . . .	Sohagpur .	769	Sahdol .	890 Acres (Appx.)	Whole.
Mahali . . .	} Sohagpur .	845	Sahdol .	710 Acres (Appx.)	Part.
Kurd . . .		115	Sahdol .	380 Acres (Appx.)	Whole.
Kudri . . .	Sohagpur .	425	Sahdol .	1100 Acres (Appx.)	Part.
Jhangaon . . .	Sohagpur .	935	Sahdol .	130 Acres (Appx.)	Part.
Seguri . . .	} Sohagpur .	734	Sahdol .	200 Acres (Appx.)	Part.
Bijuri . . .		584	Sahdol .	10 Acres (Appx.)	Part.
Bhalgadar . . .	Sohagpur .	929	Sahdol .	1110 Acres (Appx.)	Whole.
Pendripani . . .	Sohagpur .	982	Sahdol .	240 Acres (Appx.)	Whole.
Lahsari . . .					
Somna . . .					

Total Area : 4770 Acres (Approximately)

Boundary Description:

ABCD line passes along the western boundary of villages Lahsari, Somna and Bhagta.

DEFG line passes along the northern boundary of villages Bhagta, Mahali-kurd, Kudri and Jhangaon.

GH line passes through the villages Jhangaon and Seguri.

HI line just passes along the north of railway line.

IA line passes along the south of village Lahsari.

[No. C2-22(14)/59.]

B. ROY, Under Secy.

(Department of Iron & Steel)

New Delhi, the 31st May 1960

IRON & STEEL (CONTROL) (THIRD AMENDMENT) ORDER, 1960

S.O. 1423/ESS.COMM/IRON & STEEL/AM(7).—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment to the Iron and Steel (Control) Order, 1956, as in force in India and as applied to the said State, as amended from time to time, namely:—

1. This Order may be called the Iron and Steel (Control) (Third Amendment) Order, 1960.

2. In the Iron and Steel (Control) Order, 1956, in the Schedule, after the category of iron and steel "Wire Ropes", the following shall be added at the end, namely:—

"Sleepers.

Skelp.

Box-strapping."

[No. SC(A)-1(28)/59.]

M. C. MISRA, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 24th May 1960

S.O. 1424.—In pursuance of clause (k) of rule 4 of the General Grading and Marking Rules, 1937 and in supersession of the notification of the Government of India in the Ministry of Food and Agriculture, (Department of Agriculture) No. S.R.O. 2129 dated the 19th June, 1957, published at page 1377 of the Gazette of India, Part II, Section 3, dated the 29th June, 1957, the Central Government hereby prescribes a charge of 6 Naye Paise per ten pounds on all creamery butter graded under Agmark.

[No. F. 3-4/59-AM.]

New Delhi, the 26th May 1960

S.O. 1425.—In pursuance of clause (i) of rule 4 of the General Grading and Marking Rules, 1937 the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Food and Agriculture S.R.O. No. 1322 dated the 31st May, 1956 published at page 927 of the Gazette of India, Part II, Section 3, dated the 9th June, 1956, namely:—

In the said notification:—

(a) for item (11) the following item shall be substituted, namely:—

"(11) G.E.B. 24 Kichli or Kichdi Samba".

(b) after item (15) the following item shall be inserted namely:—

"(16) Delhi Bhogom".

[No. F. 5-101/59-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 12th May 1960

S.O. 1426.—It is hereby notified that under section 4(g) of the Indian Coconut Committee Act, 1944 (Act No. X of 1944), Shri Bhagirathi Mahapatra, a member of Rajya Sabha, has been elected by that Sabha as a member of the Indian Central Coconut Committee vice Shri T. Bhaskara Rao.

[No. 7(53)/60-Com. I.]

New Delhi, the 19th May 1960

S.O. 1427.— Under Section 4 of the Indian Cotton Cess Act, 1923, (14 of the 1923) the Central Government are pleased to appoint the following persons to be members of the Indian Central Cotton Committee, Bombay, for the period mentioned against each :—

Serial No.	Name	Part of Section 4	Period upto
1	Dr. M. B. Ghatge, Director of Agriculture, Bombay State, Poona.	4 (ii)	31-3-63
2	Shri J. R. Deshmukh, Raver, District East Khandesh, Bombay.	4(viii)	31-3-63
3	Shri A. K. D. Rangaswamy Raja, Rajapalayam, Madras State, Vice Shri R. Krishnaswamy, Naidu	4(viii)	31-3-62

[No. 1-18/59-Com. II/IV.]

AJUDHIA PRASADA, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 13th May 1960

S.O. 1428.—The following draft rule to amend the Drugs Rules, 1945, which the Central Government proposes to make in exercise of the powers conferred by Sections 12 and 33 of the Drugs Act, 1940 (23 of 1940), is published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th June, 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. These rules may be called the Drugs (Amendment) Rules, 1960.
2. In the Drugs Rules, 1945:—
 - (1) (a) In Schedule C in item 11, after the entry (ix) the following entries shall be inserted namely:—
 - (x) Carbomycin.
 - (xi) Erythromycin.
 - (xii) Vancomycin.
 - (xiii) Polymyxin B.
 - (b) (i) in Schedule C(I) in item 9, after the entry (xii) the following entries shall be inserted namely:—
 - (xiii) Framycetin.
 - (xiv) Griseofulvin.
 - (xv) Novbiocin.
 - (xvi) Nystatin.
 - (xvii) Oleandomycin.
 - (xviii) Polymyxin B.
 - (xix) Spiramycin.
 - (xx) Vancomycin.
 - (xxi) Viomycin.
 - (ii) In item 9, for the entry "(vii) Magnamycin", the following entry shall be substituted, namely:—

"(vii) Carbomycin."

(c) in Schedule L, for the entry "6 Magnamycin", the following entry shall be substituted, namely:—

"6. Carbomycin."

[No. F. 1-8/60-D.]

M. K. KUTTY, Dy. Secy.

New Delhi, the 23rd May, 1960

S.O. 1429.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby nominates Dr. Tulsi Dass, F.R.C.S., D.O.M.S., Director of Research and Medical Education, Punjab, to be a member of the Medical Council of India *vide* Dr. Jagdish Singh resigned and makes the following amendment in the notification of the Government of India in the Ministry of Health No. F-5-13/59-M. I. dated the 9th January, 1960, namely:—

In the said notification, under the heading "Nominated under clause (a) of sub-section (1) of section 3", for the existing entry against serial No. 11, the following entry shall be substituted, namely:—

"Dr. Tulsi Dass, F.R.C.S., D.O.M.S., Director of Research and Medical Education, Punjab".

[No. 5-13/59-M.I.]

A. C. RAY, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 25th May 1960

S.O. 1430.—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Bombay) Rules, 1954, the Central Government hereby appoints Shri N.H.G. Grant as a member representing the Shipowners on the Seamen's Employment Board (Foreign-going), at the Port of Bombay, in place of Capt. W.H. Dalton who has resigned, and makes the following amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport), No. 12-MT(52)/57 dated the 28th August, 1958, namely:—

In the said notification, for entry No. 8, the following entry shall be substituted, namely:—

"8. Shri N.H.G. Grant".

[No. 15-MT(4)/60.]

S. K. VENKATACHALAM, Dy. Secy.

MINISTRY OF WORKS, HOUSING & SUPPLY

New Delhi, the 10th May 1960

S.O. 1431.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules in supersession of the previous rules regulating the recruitment to the posts of Foreman (Physical) and Foreman (Chemical) in the Government Test House, Calcutta under the Directorate General of Supplies and Disposals, namely:—

1. **Short title.**—These rules may be called, the Foreman (Physical) and Foreman (Chemical) (Government Test House, Calcutta) Recruitment Rules, 1960.

2. **Recruitment, etc.**—The classification, pay scale, method of recruitment and other matters pertaining to the post of Foreman (Physical) and (Chemical) shall be as shown in the relevant columns of the Schedule appended to these rules.

3. **Disqualification.**—No male candidate who has more than one wife living or no female candidate who has married a person having already a wife living shall be eligible for appointment to the post referred to in rule 2.

Provided that the Central Government may, in any exceptional case, and for reasons to be recorded in writing, exempt any person from the operation of this rule.

Revised Recruitment Rules for the posts of

Name of post	No. of post	Its Classification and whether gazetted or non-gazetted	Scale of pay	Whether a selection post or non-selection post	Age limit for direct recruitment	Educational and other qualifications
Foreman (Physical)	1	Non-Ministerial, Class III, Non-gazetted.	Rs. 200—10—300.	Non-Selection post.	Not exceeding 30 years. Relaxable in the case of Scheduled Castes and Tribes and other special categories of persons in accordance with the general orders of the Government of India from time to time.	A degree or diploma in Mechanical Engg. from a recognised Institution with 3 years practical experience in a workshop of repute, Should have the capacity to control labour.
Foreman (Chemical)	1	Do.	Rs. 200—10—300.	Do.	Do.	Should be a graduate in science with Chemistry as one of the subjects or hold equivalent qualifications. Should have 3 years practical experience in a recognised Chemical Laboratory. He should be capable of setting up new equipments, and looking after their upkeep and minor repairs.

Foreman (Physical) and Foreman (Chemical).

Whether age and educational qualifications prescribed for direct recruitment will also apply in case of recruitment by promotion or transfer	Period of probation	Methods of recruitment and percentage of vacancies to be filled by the various modes	In case of vacancies filled by promotion, transfer etc. grades, sources from which promotions etc. are to be made	Any other remarks
(i) The prescribed age limit will not apply in the case of promotion/transfer of departmental candidates.	2 years for direct recruits and 1 year for departmental promotees.	By promotion of suitable candidates with at least 10 years experience, if such candidates are available in the Govt. Test House failing which by direct recruitment.	By promotion from the grades of Maintenance Supervisor, Electrical Chargeman & Mistries.	Educational qualifications can be relaxed by the Ministry of Works, Housing and Supply in individual cases at their discretion.
(ii) Educational qualifications will not apply in the case of promotion of departmental candidates.				
Do.	Do.	Do.	By promotion from the grade of Laboratory Assistant.	Do.

[No. EIV-91 (11)/52-ES.II.]

R. RAJAGOPALAN, Under Secy.

MINISTRY OF IRRIGATION AND POWER CORRIGENDUM

New Delhi, the 27th May 1960

S.O. 1432.—In this Ministry's notification No. EL-II-4(4)/59, dated the 14th May, 1960, published on page 1597, Part II, Section 3(ii) of the Gazette of India, dated the 21st May, 1960, the expression "(2) of Section" shall be inserted between the word "sub-section" and the figures and letter "36A" appearing in the first and the second line of the said notification.

[No. EL-II-4(4)/59.]

N. S. VASANT,
Officer on Special Duty.

MINISTRY OF REHABILITATION

New Delhi, the 25th May 1960

S. O. 1433.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties in the Union territory of Delhi specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons ;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1951 (11 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the said evacuee properties.

THE SCHEDULE

Serial No.	Particulars of evacuee property	Name of the town and locality in which the evacuee property is situated.	Name of evacuee
1	XII/9355/8494	Roshan Ara Road, Subzimandi, Delhi.	Abdul Aziz.
2	XII/4560/3410	Arya Pura, Subzimandi, Delhi.	Niaz Ahmed, son of Bhaṇṇay Khan.
3	XII/4561-62/3411	Arya Pura, Subzimandi, Delhi.	Mussamat Khatoon, wife of Kala Khan.
4	XII/4563/3412	Arya Pura, Subzimandi, Delhi.	Sayed Ali Mirza, son of Syeed Sadar Mirza.

[No. F.I (1218) 58/Comp. III/Prop. I.]

New Delhi, the 26th May 1960

S. O. 1434.—Whereas the Central Govt. is of opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Mysore for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons ;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the schedule hereto annexed.

THE SCHEDULE

Serial No.	Particulars of Evacuee property	Name of the town and locality in which properties are situated	Name of Evacuee
1	Property bearing No. 6/2.	Kubersingh Lane, Lalbag Fort Road, Doddamawalli, Bangalore City.	A. S. Sheriff.

[No. F.I (1216) 58/Comp. III/Prop. I/Part-IV.]

S.O. 1435.—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties in the State of Madhya Pradesh specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including of compensation to such persons ;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the said Schedule.

THE SCHEDULE

Serial No.	Name of the town and locality in which evacuee property is situated	Particulars of the evacuee property, Municipal Description, Number of the property.	Name of the evacuee.
1	Mahatma Gandhi Road, Raipur, Madhya Pradesh.	Enure premises known as Raipur Soap Works and Ismail Oil Mills including residential portions, and godowns.	Kazi Mohammad Ibrahim, son of Kutubuddin.

[No. F. 1 (1220) 58/Comp. III/Prop. I].

I. N. CHIB, Dy. Chief Settlement
Commissioner and Ex-officio Dy. Secy.

New Delhi, the 27th May 1960

S.O. 1436.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Punjab for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) it is notified that the Central Government has decided to acquire, and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

THE SCHEDULE

All properties in the State of Punjab which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951 as a result of adjudication by the Competent Officers under the provisions of the said Act upto 31st December, 1959, and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer (Officer's) concerned.

[No. 16(18)/58-Prop. II.]

(Office of the Chief Settlement Commissioner.)

ORDER

New Delhi, the 26th May 1960

S. O. 1437.—In pursuance of rule 35 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, the Central Government hereby classifies the colonies described below in which Government built properties are situated, as 'A', 'B' or 'C' colonies, as the case may be.

Bombay.

1. Bikimona	.	.	.	.	.	.	.	B
2. Navsari	.	.	.	.	.	.	.	B
3. Muland	.	.	.	.	.	.	.	B
4. Koliwada	.	.	.	.	.	.	.	A
5. Warshia Colony	.	.	.	.	.	.	.	B

Rajasthan (Shopping Centres):—

1. Jaipur (Fateh Tiba)	A
2. Jodhpur (Mansuria Colony)	B
3. Pali (outside the colony)	C
4. Udaipur (outside the colony)	B
5. Kotah Valab Nagar (outside the colony)	B
6. Bundi (outside the colony)	C
7. Bikaner (outside the colony)	B
8. Ganga Nagar (outside the colony)	B

Saurashtra (Shopping Centres):—

1. Rajkot (near junction station)	B
2. Jamnagar (Kiloshwan Road)	B
3. Junagarh (outside the colony)	B
4. Bhavnagar (Kishan Nagar)	C
5. Palitana (outside the colony)	C

Madhya Pradesh (Shopping Centres):—

1. Chindhwara	C
2. Chandineta	B
3. Malkapur	B
4. Jamai	B
5. Seoni	B
6. Damoh	C
7. Saugar	C
8. Narsingpur	C
9. Piparia	B
10. Bilaspur	B
11. Champa	C
12. Mungali	C
13. Raipur	B
14. Durg	B
15. Rajnandgaon	B
16. Handa	C
17. Hoshangabad	C
18. Itarsi	B
19. Parasia	C
20. Bairagarh Colony	C
21. Bughanpur	B
22. Wardha	B
23. Pulgaon	B
24. Hinganghat	A
25. Panagarh	C
26. Khangaon	B
27. Ariri	B
28. Betmel	B
29. Katol	C
30. Gadarwar	C
31. Khandwa	B

Uttar Pradesh:—

1. Dehra Dun Shopping Centres near Clock Tower A

Meerut:—

2. Residential-cum-shopping centre near Jagdish Chandra
Kaniya Parshala A
3. G. T. Road shopping Centre A
4. Station Road colony C

Bulandshahar:—

5. 100 'C' type quarters, 12 shops, 6 S.C.R. and 34 S.C.R.
at Bulandshahar C

Moradabad:—

6. Shopping Centre near Dilshad Cinema A

Nainital:—

7. Shopping Centre at Kashipur C
8. Kheta C

Bareilly:—

9. 91 shops near Hospital A
10. Shopping Centre at Shadra C

Jhansi:—

11. Free Ganj C

Agra:—

12. 185 shops and 26 flats at Mithai-ka-Chabutra A

Gaziabad:—

13. Bagh Bhatia-rai colony C

Varanasi:—

14. 25 shops and 5 flats at Godowalia crossing Varanasi A

Saharanpur:—

15. 96 shops in Civil Hospital Compound A
16. 44 shops in Govt. Inter College Compound A

Mainpuri:—

17. Mainpuri C

[No. F. 15 (33) Comp -II 57/Policy-I.]

KANWAR BAHADUR,
Settlement Commissioner (A) and
Ex-Officio Dy. Secy.

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION

(Department of Cooperation)

New Delhi, the 19th May 1960

S.O. 1438.—In exercise of the powers conferred by section 5B of the Multi-Unit Cooperative Societies Act, 1942, the Central Government hereby directs that all the powers or authority exercisable by the Central Registrar of Cooperative

Societies under the said Act shall also be exercisable by the following officers in respect of the Multi-Unit Cooperative Societies specified against them, namely:—

Societies which are or are deemed to be actually registered in the State concerned.

1. The Registrar of Cooperative Societies, Government of Assam, Shillong.
2. The Registrar of Cooperative Societies, Government of West Bengal, Calcutta.
3. The Registrar of Cooperative Societies, Government of Bihar, Patna.
4. The Registrar of Cooperative Societies, Government of Orissa, Bhubaneswar.
5. The Registrar of Cooperative Societies, Government of Andhra Pradesh, Hyderabad.
6. The Registrar of Cooperative Societies, Government of Madras, Madras.
7. The Registrar of Cooperative Societies, Government of Mysore, Bangalore.
8. The Registrar of Cooperative Societies, Government of Kerala, Trivandrum.
9. The Registrar of Cooperative Societies, Government of Uttar Pradesh, Lucknow.
10. The Registrar of Cooperative Societies, Government of Maharashtra, Poona.
11. The Registrar of Cooperative Societies, Government of Gujerat, Ahmedabad.
12. The Registrar of Cooperative Societies, Government of Madhya Pradesh, Indore.
13. The Registrar of Cooperative Societies, Government of Punjab, Jullundur.
14. The Registrar of Cooperative Societies, Government of Rajasthan, Jaipur.
15. The Registrar of Cooperative Societies, Union Territory of Himachal Pradesh, Simla.
16. The Registrar of Cooperative Societies, Union Territory of Delhi, Delhi.
17. The Registrar of Cooperative Societies, Union Territory of Manipur, Imphal.
18. The Registrar of Cooperative Societies, Tripura Administration, Agartala.
19. The Registrar of Cooperative Societies, Andaman & Nicobar Islands, Port Blair.

[No. F. 13-3/60 F&S.]

S. S. PURI, Dy. Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 26th May 1960

S.O. 1439.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad in the industrial dispute between Martin's Light Railways, Calcutta representing the management of the Howrah Amta & Howrah-Sheakhala Light Railway Companies and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE NO. 68 OF 1959.

PARTIES:

Employers in relation to the Martin's Light Railways representing the management of the Howrah-Amta and Howrah-Sheakhala Light Railway Companies

AND

Their workmen.

PRESENT:

Shri G. Palit, M.A., B.L., *Chairman*,
Central Government Industrial Tribunal, Dhanbad.

APPEARANCES:

Shri S. K. Mullick, Solicitor, with
Shri A. Chakrabarty, Assistant Personnel Officer—for the Employers.
Shri D. L. Sen Gupta, Advocate, with
Shri D. Narsingh, Advocate, assisted by
Shri N. M. Mukherjee, Advocate,
Shri N. C. Batabyal, Working President, Light Railway Employees Union—for the workmen.
Shri Ram Sen, Vice President, with
Shri Sunil Banerjee, General Secretary, Martin Light Railway Mazdoor Union.

STATE: West Bengal.

INDUSTRY: Railways.

Dhanbad, dated the 10th May 1960.

AWARD

The Ministry of Labour & Employment, Government of India, by its Order No. LR.IV.3(29)/59, dated the 20th November 1959 referred the aforesaid dispute to the Industrial Tribunal at Dhanbad presided over by Shri Salim M. Merchant for adjudication under Section 10, sub-section (1), clause (d) of the Industrial Disputes Act, 1947 (XIV of 1947). Later on, as the service of Shri Merchant was not available, the aforesaid dispute was withdrawn by the said Government under Section 33B(1) of the aforesaid Act and by an Order No. 4/47/59-LRII, dated the 13th January 1960 and was transferred to the Industrial Tribunal at Dhanbad presided over by me for disposal.

2. The issues contained in the original order of reference as per schedule stand as follows:—

1. Scales/grades of pay and fitting into the grades.
2. Dearness Allowance.
3. Quarter or House Rent Allowance.

3. At the outset I must point out that Messrs. Martin Burn Ltd. operate five light railways of which Shahdara (Delhi) Saharanpur Light Railway traverses a length of 92.50 miles, while the other four railways, namely, Howrah-Amta Light Railway has the route mileage of 43.87 miles, Howrah-Sheakhala Light Railway of 19.75 miles, Arrah-Sasaram Railway 65.16 miles, and Futwah Islampur Light Railway 27 miles (*vide* the History of Indian Railways by the Government of India, published in March 1955).

Issue No. 1: Scales/grades of pay and fitting into the grades.

4. It is the case of the union that the scales already framed are defective, short, and the minimum and maximum are inadequate and without proper basis. The union claims the scale of pay as shown in Annexure A, for the different categories of workmen. Regarding the fixing into grades the union contends that one additional increment for every year of past service should be given with effect from the date of the charter of demand. It is the further contention of the union that this matter in connection with the two light railways in question was gone into in the Jeejeebhoy award, dated 3rd August 1949 published

in the Gazette of India Extraordinary, 1949 issue, dated 3rd September. It was again gone into so far as the head office staff was concerned by Shri A. Das Gupta on 10th May 1957, the award having been published in the Gazette of India, dated 1st June 1957, page 1879. There was another award by Shri A. Das Gupta, dated 22nd July 1957 published in the Gazette of India, dated 17th August 1957 at page 1723. The award of Shri Das Gupta ceased to be binding on 16th September 1958 and it was terminated on 16th May 1959. It is the contention of the union that though the workmen in the present case is entitled to a better claim for higher rates of wages than what is paid by the Railways in question they had been content to confine their present claim to what is recommended by the Central Pay Commission for the railway employees. It is contended that Shri Jeejeebhoy granted the wages on an *ad hoc* basis saying that higher wages would be beyond the capacity of these railways to pay. Shri A. Das Gupta also did not increase the wages and he appealed to the workmen to wait for the present because the then financial position of the railways did not permit an all round revision of the wage structure. So it is the claim of the union that both these awards being on an *ad hoc* basis it is high time that the revision of wages which had so long been held over must now be granted.

5 The management, on the other hand, contends that the revenue, rather the gross earnings of the said two railways have not substantially increased since the award of Shri A. Das Gupta. So the time is still inopportune for granting higher wages which might sweep the company off its feet. There is an increasing competition from the bus service which has further clinched the scope of increase of revenue of these two light railways. So the company stoutly opposes any further increase in the wages as claimed by the workmen.

6 I do admit that the wages form a long term basis. Simply because the award has lapsed, that does not entitle the union at once to bury the past and clamour for higher wages. It was held by the Labour Appellate Tribunal in Army and Navy Stores reported in 1951—L.L.J., Vol. II, p. 31 and also in Swastik Oil Mills Limited, 1953—L.A.C., p. 217, that wages once fixed by the Tribunal should not be varied except on strict proof of change of circumstances. But the present case in my view stands on a different footing. Both the Jeejeebhoy Award as well as the Das Gupta Award have admitted that the wages in these two light railways stood in need of revision. But they could not undertake revision because it would entail such a burden on the financial resources of the company as might prove to be too heavy for it to bear. So they could not see their way except to fix wages on an *ad hoc* basis. Now the point is whether the revenue since then has substantially increased such as to justify a revision. The award of Shri A. Das Gupta was dated 10th May 1957. So it must have been based on the gross earnings of these railways of 1956. The management has given the gross earnings of these two railways as per Exhibits C-1 and C. In the case of Howrah-Amta Light Railway, I find from these documents of the company which have not been disputed by the union that in 1955-56 the gross earnings stood at Rs. 28 lacs 68 thousands and odd. In 1956-57 it rose to Rs. 29 lacs 76 thousand and odd. In 1957-58 it rose to Rs. 30 lacs 31 thousand and odd and in 1958-59 it has risen to Rs. 30 lacs 14 thousand and odd. So it is clear that since 1955-56 which was the basis of Shri A. Das Gupta's award there has been a steady rise of gross earnings to the extent of rupees two lacs and odd. It is the company's stand that the working expenses have also correspondingly increased with the result that the nett profit remains the same. In the case of Sheakhala Light Railway as per Exhibit C-1, I get that in 1955-56 the gross earnings stood at Rs. 7 lacs 19 thousand and odd and in 1956-57 it rose to Rs. 7 lacs 12 thousand and odd. In 1957-58 it rose to Rs. 7 lacs 48 thousand and odd and in 1958-59 it further rose to Rs. 7 lacs 60 thousand and odd. So as compared to 1955-56 the amount of rise is about Rs. 40,000/-. Here also the working expenses are said to have risen considerably so that the nett profit did not show any increase. Now if I turn to the History of Indian Railways corrected upto 31st March 1956 filed by the company, I get that in case of Howrah-Amta Light Railway in 1954-55 the proportion of expenses to earnings stood at 90.5 per cent. In previous years also it was about the same. In case of Howrah-Sheakhala Light Railway the said proportion of expenses to earnings stood at 78.79 per cent in 1954-55. In 1953-54 it stood at 90 per cent. In previous year it was less. So it is clear that what the management speaks about the rise in the working expenses is not far from truth. This is a Government publication based on data supplied by the companies. The report may be expected to have a fair degree of accuracy.

7. Then the company wants to say that there is the cost of rehabilitation. That should have a priority over wage. Both the railway lines as well as the coaches and carriages stood in urgent need of replacement being rather very old. In cross-examination this could not be very much shaken. All that could be brought out is that the railways were in working order. But I do not think that the company can very well bank on this score because the amount credited each year to the reserve account in the case of Howrah-Amta Light Railway was Rs. 1,25,000. Previous to 1942-43 it was even more. In case of Howrah-Sheakhala Light Railway I get Rs. 25,000 credited to the renewal account each year (*vide* History of Indian Railways *ante*). Previously it was more. So it is clear that the company was never remiss in crediting or reserving the amount of rehabilitation each year out of the earnings. This being so, I cannot attach as much importance to this head of expenditure as I would have otherwise.

8. Though Shri Das Gupta made no secret of his displeasure that the General Manager would be granted such a high emolument in excess of what is recommended even by the Central Pay Commission, there does not seem to have been any appreciable attempt to effect economy in this direction. Though the union could not make out that any unnecessary post with high emolument was brought into being, yet I have reasons to believe that so far as the emolument of high salaried posts is concerned, the company does not evince as much enthusiasm as it should have, had it been bent upon effecting serious economy of expenditure. I think that when the workmen are denied even the minimum scale recommended by the Central Pay Commission, certainly it does not look decent to remain quiescent about the high emolument that obtains in the higher stratum of service. The economy at the top alone would justify economy at the bottom or at all events will make the toiling workmen more or less content to receive wages lower than what they are entitled to. So if an economy is emphasised, it should embrace both the high salaried officers as well as the lower paid workmen. I might say that it should hit more the persons at the top than the persons at the bottom. This very fact seems to rankle in the mind of the union and makes it restive. That gives rise to discontent. That is also the cause why the moment an award has lapsed, at once there is an attempt to go in for further adjudication. I do not know, however, whether these words of counsel about the internal economy of the concern will fall on deaf ears of the powers that be, much in the same way as the previous awards had fallen but the companies might regret if they fail to notice the writing on the wall.

9. The company wants to make much of the fact that there is the keen competition coming from the buses running along side the railways. Though there is no doubt, that if the buses had not been there the earnings of the railways might have been more than what they are now. But one must face facts squarely in the face. The point is not that there is no competition in the shape of the public buses but it is pertinent to ascertain what is its implication on the revenue of the companies. The buses have come to stay. In the city of Calcutta also tramways were at one time the monopoly service of transport. When the buses came into the field, there was a bogey made of this bus scare. But as matters have revealed, namely, that both the tramways and the buses have come to stay and only the earnings of the tramways received a temporary set back. Before long it recovered and regained lost ground and recovered from the shock of surprise. The earnings have gone on increasing year in spite of the bus competition. Exactly identical is the case here. As Exhibits C and C-1 will show that the earnings have systematically gone on increasing admittedly in the face of this bus competition. So what is the significance of the bus competition in the present case? I should say that it does not go far.

The union has contended, namely, that the two railways in question have not increased the permissible freight and fare as allowed by the Government. Had they so increased, they might have driven more profits. So there would have been more income to pay for the wages of the workmen. But I think that the union has possibly over-stepped its limits in the matter of criticism. It is entirely the management's function how to manage its affairs. Neither the Union nor even the Tribunal is competent to dictate to the management the manner as to how it should carry on its business. That is exclusively the function of the management. Interference in this respect will neither be justified nor tolerated. Besides the railways in the present case say that they find it hard to meet the competition of the buses even with its lower rate. The position may be desperate if its fare and freight are increased. That is certainly a good explanation for not undertaking this hazardous experiment of increasing the fare and freight as suggested by the union. So I rule out this contention of the union in its attack on the management's finance.

The union next, contended that what it is claiming is merely the minimum scale as recommended by the Central Pay Commission. It has been accepted by the State Railways. The State Railways have even implemented the recommendations of the last Central Pay Commission in the matter of railways. Even the Shahdara-Saharanpur Light Railway has implemented the scale of the Central Pay Commission as per award of Shri E. Krishnamurti, Central Government Industrial Tribunal, Delhi, by his award, dated 28th September 1958 (Exhibit 5). Though the evidence is not sufficient for me to hold that the workmen in the two light railways before me have to undergo the same strain and labour as their conferees in the State railways, yet it can hardly be gainsaid that the responsibility in the State railways is certainly greater. Besides, the State Railways are financed by the State Governments. Their financial resources are much more bigger than what can be expected of the resources of the management of the present two light railways. In the case of Shahdara-Sharanpur Light Railway, I get in the History of Indian Railways that its earnings in 1954-55 stood at Rs. 40 lakhs and in the previous years it stood at Rs. 39½ lakhs. For the same year in Howrah-Amta Light Railway the gross earnings stood at Rs. 29 lakhs and in the previous year at Rs. 28 lakhs. In the case of Howrah-Sheakhala Light Railway the earnings stood at Rs. 8,70,000 in 1954-55 and Rs. 6,76,000 in 1953-54. So the gross earnings show how higher are the resources of the above railway as compared to these two railways in question. Besides, the Shahdara-Sharanpur Light Railway is subsidised by the Government but in the case of Howrah-Amta Light Railway it is the District Board of Hooghly and Howrah that is at the back of the railway and so also the District Board in the case of Howrah-Sheakhala Light Railway. The length of mileage is also greater in the former. So there cannot be any comparison between the wages given by the Shahdara-Sharanpur Light Railway and the wages given in these two Light Railways before me. This is also what was pointed out by Shri A. Das Gupta in his award. Besides, as per Exhibit 5 I get that Shri E. Krishnamurti was asked to give effect to the recommendations of the Central Pay Commission scale of wages concerning the grade III when it was already given effect to in respect of grade IV employees. So I hold that the award has given effect to the said scale of the Central Pay Commission in respect of one section of employees only. But here the position is different. The question before me is whether the scale of the Central Pay Commission should be given effect to in its entirety regarding all the workmen of these two light railways. I am told that the extra expenditure will be more than a lakh of rupees even on a modest estimate if this scale is given effect to.

Having regard to all these facts and circumstances, I am faced with the problem whether I should revise the wages of the workmen of the two light railways or leave them where they are with counsel for patience for the future. I am satisfied that I would not be justified in giving full effect to the Central Pay Commission scale as that might cause such a heavy burden on the tottering financial balance of the company, as might be too much to bear at the present moment. But at the same time I cannot help considering the justice of the case of the workmen. Justice is being denied to these workmen for all these long years since the Jeejeebhoy award. What Shri A. Das Gupta did was practically tinkering with the problem, if I may take the liberty of using the expression with due deference to the learned judge. He kept much too close to the Jeejeebhoy Award. As a result, the award which he gave, only differed from the previous award in negligible amount either at the bottom or at the top or at both ends. What had been worse was that the diversity of categories with different wages which marked the Jeejeebhoy award could not be shaken off by Shri A. Das Gupta in his award. The result was that this diversity proved almost bewildering. The workmen did not know where they stood both before and after the award. Shri A. Das Gupta in his award pointed out that the railways were not like the manufacturing concerns. Greater caution here was necessary than in the sphere of manufacturing industries. In the manufacturing industries the cost of production plus a little marginal profit for the management would shape the prices of commodities. But here the railways have to deal with the public on the one hand and the bus competition on the other. So it had to be extra cautious. But I am afraid I cannot fully concur with this exposition of the situation. The manufacturing industries had perhaps, a greater competition to face than the railways. There were bigger and smaller industries. There was perennial conflict. The resources were vastly different. On the top of this, there was foreign competition to face. In the case of railways it is more or less a monopoly concern. The advent of the bus on the scene only marked the appearance of a rival. It took a little time for each party to adjust. Then they found that both had come to stay. They got over the temporary set back to their earnings. The gross earnings of the railways

before me, as I have discussed, are a pointer to this. That unmistakably shows that the gross earnings of the railways rose systematically and steadily in spite of the bus scare. So on the ground of caution I cannot condemn the workmen of the railways before me to perpetual lower rates. The only caution I have to take is that the total impact of the rise in wages may not cripple or drive the railways out of the field. In the case of Express Newspapers (Private) Limited reported in XIV 1958 F.J.R. 211 decided by the Hon'ble Supreme Court, the capacity of the industry to pay has been discussed. To ascertain the capacity to pay the Tribunal should take into its reckoning industry-cum-region basis and should effect a fair cross-section of the industry. But in the present case I have no data before me to consider the wage rates with reference to the industry-cum-region basis nor can I take the cross-section of the railway industry. But I am saved by the recommendation of the Central Pay Commission which has gone into the matter on an industry wise basis and has achieved a standard wage scale for different categories. That furnishes a safe guide in the matter of fixation of wage rates.

13. Next, I deal with the wage scales as fixed by me. I should at the outset point out that I have steered clear of the shortcoming of Shri A. Das Gupta's award as pointed out by the union. I have also not kept too close to the Jeejeebhoy award except where the circumstances justified it. Neither have I gone to the full length of the recommendation of the Central Pay Commission. I have considered the claim of the union in this background and have prescribed the scale as below. The period of service has been taken mostly to be 15 years. The increment has been yearly. Efficiency bar has been placed where necessary. Where I have made a departure, that is called for either by the exigencies of the case or by the fact that I do not like to reduce the top level of wages given by Shri A. Das Gupta. I have maintained the categories mentioned in the Jeejeebhoy award and also endorsed by Shri A. Das Gupta in his award. As the Union has not given other categories, except in the Loco Department, I have taken that no other categories exist.

Category	Scale prescribed by the Tribunal		
1. Skilled workers viz. Fitters, Blacksmiths, Carpenter, D/Attendant, Mason, Painter etc.	Rs.60-3-81	E.B.-4-113	15 years
	7	8	
2. Station Master	Rs.65-3-86	EB-4-118-5-134	19 "
	7	8 4	
3. Assistant Station Master	Rs. 58-2-72	EB-3-96	15 "
	7	8	
4. Signaller, Booking Clerk, Assistant Goods Clerk, T.T.E.	Rs. 48-2-62	EB-3-86	15 "
	7	8	
5. Pointsman	Rs. 35-1-50		15 "
6. R. R. Servant, Porter, Gateman, Trolleyman Cleaner, Waterman, Peon	Rs. 30-1-37½		15 "
6. (a) R. R. Cook	Rs. 35-1-50		15 "
7. Ticket Collector.	Rs.45-1-52	EB-3-76	15 "
	7	8	
8. Points Jamadar.	Rs. 35-1-50		15 "
9. Durwan and Chowkidar	Rs.35-1-50		15 "
10. Guard	Rs.50-2-70.	EB-3-85-SG.-5-130	24 "
	10	3 9	
11. Batch-in Charge	Rs. 48-2-62	EB-3-86	15 "
	7	8	

Category	Scale prescribed by the Tribunal.	
12. Hd. T/C Hd. Booking clerk, Hd. Batch-in - Charge, Head Fitter etc.	Rs. 70-4-96-EB-5-138	15 Years
	<u>7</u> <u>8</u>	
13. Compounder	Rs. 60-2-74-EB-3-98 : S.G-5-103	16 ..
	<u>7</u> <u>8</u> <u>1</u>	
14. Clerks	Rs. 60-3-81-EB-5-121	15 ..
	<u>7</u> <u>8</u>	
15. Semi-skilled, viz. Assistant Fitter, Asst. Welder. etc.	Rs. 40-1-55	15 ..
16. Gangmate	Rs. 40-1-55	15 ..
17. Keyman	Rs. 35-1-50	Do.
18. Cabinman	Rs. 35-1-50	Do.
19. Gang Khalasi	Rs. 30-1-37½	Do.
20. Hammerman	Rs. 35-1-50	Do.
21. Asst. Carriage Examiner	Rs. 50-2-64-EB-3-88	Do.
	<u>7</u> <u>8</u>	
22. Packer	Rs. 40-1-55	Do.
23. Wheel Tapper	Rs. 35-1-50	Do.
24. Head Durwan	Rs. 35-1-50	Do.
25. Works Sircar	Rs. 70-3-91-EB-4-123	Do.
	<u>7</u> <u>8</u>	
26. Coal Checker	Rs. 40-2-70	Do.
27. Driver	Rs. 50-3-71-EB-4-103-SG-5-133	21 years.
	<u>7</u> <u>8</u> <u>6</u>	
28. Shunter	Rs. 40-2-70	15 years
29. Fireman	Rs. 35-1-50	Do.
30. Steam-Man	Rs. 35-1-50	Do.

LOCO DEPARTMENT

Category	Existing Scale	Scale prescribed by the Tribunal.
1. Hd. Fitter (All type)	Rs. 70-3-100	Rs. 70-4-98-EB-5-138 15 years
" Moulder		
" Carpenter		
" Rike for		
" Blacksmith		
" Boilermaker		
2. Fitter (All type)	Rs. 55-2-75-3-90	Rs. 60-3-81-EB-4-113 Do.
Turner		
Machineman		
Moulder		
Boilermaker		
Carpenter		
Painter		
Welder (All type)		
Blacksmith		
Springsmith		
Tinsmith		
Letter Man		

Category	Existing Scale	Scale prescribed by the Tribunal.	
3. Asst. Fitter (All type)	Rs. 40-1-51	Rs. 40-1-55	15 years
" Turner (Asstt. Welder)			
" Machineman (All type)			
" Moulder, Asstt. Riveter			
" Boilermaker, Asstt. Painter			
" Carpenter, Asst. Blacksmith Asstt. Copper-smith			
4. Beltman	Rs. 40-1-52	Rs. 40-1-55	Do.
5. Driller	Rs. 45-2-60	Rs. 45-2-75	Do.
6. Hammer-man	Rs. 35-1-45	Rs. 35-1-50	Do.
7. Fireman (Boiler)	Rs. 35-1-45	Rs. 40-1-55	Do.
8. Tool-keeper	Rs. 55-2-75-3-90	Rs. 60-3-81-EB-5-121	Do.
		7 8	
9. Asstt. Tool-keeper	Rs. 42-1-52	Rs. 42-1-57	Do.
10. Furnace Cleaner	Rs. 30-1-35	Rs. 30-1-37½	Do.
11. Trade Khalasis	Rs. 30-1-35	Rs. 30-1-37½	Do.
12. Hd. Khalasi or Final	Rs. 35-1-45	Rs. 40-1-55	Do.
13. General Khalasis	Rs. 30-1-35	Rs. 30-1-37½	Do.
14. Store Khalasi	Rs. 30-1-35	Rs. 30-1-37½	Do.
15. Durwans	Rs. 32-1-40	Rs. 35-1-50	Do.
16. Canteen cook	Rs. 30-1-35	Rs. 35-1-50	Do.
17. Canteen Servant	Rs. 30-1-35	Rs. 30-1-37½	Do.
18. Water Carrier	Rs. 30-1-35	Rs. 30-1-37½	Do.
19. Sweeper	Rs. 30-1-35	Rs. 30-1-37½	Do.

14. Regarding the fitting into prescribed grades of the existing workmen I direct that their existing wages will be the criterion. It will decide the point where the workmen would be put. If the existing wage fits in totally, it should be left there. If it is between two stages in the grade then one increment should be given to pull up the existing wages to the next higher point. If the existing wage is below the minimum of the prescribed grade, then it should be pulled up to the minimum of the revised grade. I do not grant any extra increment with reference to the past service as the prescribed grade does not make any wide departure from the grade already in existence. The senior people who do not have much service left to them will have only the benefit of the increment. They might take a longer time to reach the top. If the top is reached and a particular workman has still some years left to retirement, I leave it to the management to consider whether he can be permitted to any other equivalent rank. This grading will take effect from the first date of the month following the month when this award becomes operative. I allow no back wages nor any retrospective effect to the award. I, however, make it perfectly clear that the present wages of the workmen in no case should be liable to suffer any set-back because of this award.

15. Regarding the categories, I have dealt with as many as I find on the records. If any is left out, it is left to the management to put him in one or the other category and give him the prescribed scale with reference to the nature of his duties.

Issue No. 2:—Dearness allowance.

16. Regarding the dearness allowance I find from the Annexure C to the written statement of the Union that the existing dearness allowance is Rs. 35 for the pay range of Rs. 30 to 35 per mensem, Rs. 40 for the pay range from Rs. 36 to 50 and Rs. 45 for the pay range of Rs. 51 to 100 and Rs. 50 for the pay range of Rs. 101 to 150. If I refer to the award of the Third Engineering Omnibus Tribunal of West Bengal which was relied upon by the Union, I get

that for the pay upto Rs. 50 dearness allowance was Rs. 36. For the pay range from Rs. 51 to 100 the dearness allowance was Rs. 47. For the pay range from Rs. 101 to Rs. 150 it is Rs. 53. To the pay range from Rs. 151 to 200 it is Rs. 59. This does not compare very unfavourably with what obtains in these two light railways if placed side by side. But from Exhibit-B which has been filled by management, I get that the average cost of living indices in Calcutta with the base of 1939-100, stands at 431. (Eight months number has been given. So the average has been calculated by dividing the total by 8.) In the year 1958 the average works out to 438. In the year 1959 the average works out to 446. We are concerned with the cost of living index for the middle class families for the year 1959. So there is a rise of 15 points from 1957. Now it is the accepted principle to assess the cost of living index in terms of Re. 1 increase for every 5 points rise in the cost of living index. So in this case so far as the middle class families are concerned there should be an increase of Rs. 3 per mensem for middle class families above the dearness allowance that is existing under Shri A. Das Gupta's award. So far as the working class cost of living index is concerned, I find that there has been no appreciable increase in the index figure. But in those Omnibus Engineering Tribunal award the dearness allowance has been the same so far as the working class and the middle class are concerned. The reason is that now a days among the manual workers there are lots of middle class people who have been introduced. Their standard of living is as before. So to differentiate the dearness allowance between middle class families and the working class families would not be proper. So the working class also in the present case will get the benefit of this increment of Rs. 3 per month in dearness allowance. I do get also that in the light railways, no separate scale of dearness allowance is in vogue for the middle class families and the working class. That is a time honoured practice which I do not like to disturb. So I do not like to prescribe any separate class of dearness allowance for the working class. This dearness allowance will come into effect as soon as my award becomes operative. It is further awarded that the dearness allowance will be revised if there is a rise of 5 points or more in the average, at the end of a calendar year in terms of Re. 1 for every 5 points rise. For points less than 5 points there will be no proportionate increase. The present average indices for 1959 is 446 for middle class families, with the base of 1939-100 points.

Issue No. 3:—Quarter or House Rent Allowance.

17. It is the grievance of the union, namely, that the management gives such allowance or quarters only to the essential staff. But the essential staff has been made to vary according to the pleasure of the management. The union contends that if the management grants quarters to particular class of worker, all the workers of that category must be provided with quarters. It also enumerates who comprises the essential staff according to the nature of their duties. The management has filed Exhibit-F just to show that if the union's contention is accepted then the company would be put to an expenditure of Rs. 77,000 a year. The total number of staff involved would be 258, excluding Loco personnel. I do not find much substance in the contention of the union. Quarters are given to persons either when the presence of these employees is required at odd hours of the day and night so that their proximity of stay is essential, or where the company makes it obligatory for the employees to stay near about the place. In that case the choice of the employees to find out his quarters is curtailed in the interest of the company's service. So the company must compensate or make good the loss that the workmen suffer on account of this obligation. Next, when the place of activity is a place where houses are scarce, the company is bound to provide his employees with quarters or to arrange for their conveyance. Where the employees are made to occupy quarters in a place, where the rent is much in excess of 10 per cent of the pay, then it becomes incumbent on the company just to make good the margin. But in this case Howrah Maidan is a place which is in the heart of the town. Houses in the town are available. So quarters near about the station are not at all essential. No tangible evidence has been placed before me that quarters which are occupied by the workmen are much in excess of 10 per cent. of their pay and they have been forced to occupy such quarters. Then of course the claim of house rent would have been maintained. So the claim for quarter or for house rent allowance has not been made out. The contention that all the workmen of one category must be housed if one man is provided with quarters, is equally untenable. The company may require the service of one man for essential contingencies. But for that reason they cannot be forced to provide all these people of a particular category with quarters. Because certainly all of them may not be required for this purpose. So the matter should be left in the hands of the management as at present. The management says that some quarters are there and they have

been occupied for a long time by some people. When they are transferred, their successors are allotted. So there is nothing to pick and choose between one man or another or any preferential treatment in the matter of furnishing of quarters. I do not differ from the Union's contention that there are lots of workers left out who have not been furnished with quarters but who should be considered essential. But that does not improve the situation. It is the company's requirement which must have the last say in the matter. So I am not prepared to disturb the present arrangement about quarters allotment keeping the principles I have enunciated. The previous awards also have not disturbed this position though the matter was pressed. So the union's contention on this head fails.

18. I make no order for costs.

Sd./- G. PALIT,

Chairman, Central Govt. Industrial Tribunal, Dhanbad.

Dhanbad,

The 10th May, 1960.

[No. 3/29/59/LRIV.]

P. R. NAYAR, Under Secy.

New Delhi, the 28th May 1960

S.O. 1440.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Jamadoba Colliery of Tata Iron and Steel Company Limited and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD**

REFERENCE No. 37 OF 1959

PARTIES:

Employers in relation to the Jamadoba Colliery of Tata Iron and Steel Co. Ltd.

AND

Their workmen.

PRESENT:

Shri G. Palit, M.A.B.L., Chairman, Central Government Industrial Tribunal, Dhanbad.

APPEARANCES:

Shri S. S. Mukerjee, B.Sc.B.L., Advocate—for the Tata Iron & Steel Co. Ltd. and the Coal Field Recruiting Organisation.

Shri D. Narsingh, Advocate, with Shri B. N. Sharma—for the workmen.

State : Bihar.

Industry : Coal.

Dhanbad, dated the 12th May 1960

AWARD

The Ministry of Labour & Employment, Government of India, by its Order No. LR11/2(35)59 dated the 5th June 1959 referred the aforesaid dispute to Shri Salim M. Merchant, Central Government Industrial Tribunal at Dhanbad for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 1947). As his service was eventually found to be not available because of his transfer to Bombay, the said Government withdrew the above proceeding under Section 33B(1) of the said Act and transferred the same to the Industrial Tribunal at Dhanbad presided over by me for disposal by its Order No. 4/47/59/LR11 dated the 13th January 1960.

2. The issues which are contained in the schedule to the Order of reference stand as follows:—

“(a) Whether discharge from service of Shri Chandrabali was justified?

(b) If not, to what relief is he entitled and with effect from which date?”

3. According to the union Sri Chandrabali was employed as a Machine Cut Coal Loader since 1st April 1954. He went on leave on 18th May 1958 for 14 days and this leave was sanctioned. While at home he fell ill and applied for extension of leave with a medical certificate dated 1st June 1958 from a local registered medical practitioner for a further period of three weeks. This was received by the Unit Supervisor on 7th June 1958. He applied for further extension by two weeks with another medical certificate. Subsequently he reported for work on 7th July 1958 with a medical certificate of fitness. But he was not permitted to join. Then he complained to the Executive Officer of the Coal Field Recruiting Organisation on 12th July 1958. The Executive Officer refused to concede the request of Shri Chandrabali saying that there appears to be no such provision in the Mines Act to grant such long leave to a worker. He, however, referred him to the management for reinstatement at its discretion. Shri Chandrabali now seeks reinstatement with compensation.

4. In the letter from the Deputy Executive Officer, C.R.O. addressed to the Conciliation Officer, we get that Chandrabali was granted leave for 14 days with effect from 18th May 1958. He was due to have joined on 1st June 1958. According to the standing instructions of this organisation circulated in August 1954 his name was kept on roll for 7 days more. As he did not report for work nor did he apply for extension of leave he was discharged for unauthorised absence. He produced three medical certificates recommending sick leave but these were not accompanied by any leave application. So no action was taken on them. Then he reported at the camp on 7th July 1958 after an absence of one month and 20 days. The medical certificates were also not above suspicion, on their very face, as different dates of sickness were given there. He was also previously discharged in March 1955 for such prolonged unauthorised absence.

5. The management of Jamadoba colliery has detailed its relationship with the C.R.O. *vis-a-vis* the workmen sent by that organisation. It is said that on recruitment of C.R.O. labour in the aforesaid colliery an account is opened at Gorakhpur during the period the workmen continue as C.R.O. labour. Their pay rolls are made out by Camp Supervisors countersigned by Group Officer. The wages of the C.R.O. labour are drawn monthly from the colliery. A portion of it is paid to the workman concerned after deducting the cost of food supplied by C.R.O. and the colliery, and the balance is remitted to Gorakhpur for crediting to the individual running ledger of the workmen's account. It is also the standing practice of the C.R.O. that when a labour remains absent without permission for more than 7 days his name is struck off from the rolls under advice to the Deputy Director (Labour), Government of India, at Gorakhpur. Disciplinary action for any misconduct other than the violation of the mining rules are taken by the C.R.O. The punishment awarded by the management is also confirmed by the C.R.O. in case of infringement of mining rules. It is the C.R.O. which controls the matter of granting leave and transfer of the labour from one colliery camp to another either under the same management or even under different management. Messrs. Tata Iron and Steel Co. Ltd. entered into an agreement for membership with the C.R.O. in 1947. The C.R.O. applies for extension of the term of labour after every 12 months. The management had nothing to do with the applications of leave filed by Chandrabali because they were addressed to the C.R.O. officer and dealt with by him.

6. It is the contention of Chandrabali that his leave which was granted on 18th May 1958 should have been extended because of the medical certificates which he sent from time to time and that the C.R.O. was absolutely unjustified in striking off his name from the muster roll after 7 days of the expiry of the original leave. It is admitted that all these extensions of leave applications were addressed to the C.R.O. Group Officer and not to the Manager, Jamadoba colliery. So if he has got any grievance in the matter of his discharge, it was against the C.R.O. Officer who had effected the discharge. The present Tribunal is not the proper forum to decide such a dispute. In such cases, it cannot be said to be an industrial dispute. The C.R.O. organisation does not own the Jamadoba colliery. The 'employer' as defined in the Industrial Disputes Act 1947 is in relation to an 'industry', whether in the public sector or in the private sector.

So, though the matter in issue was regarding the term of employment of the worker Chandrabali being related to leave, it is not one between an industrial employee and an industrial employer. So the present Tribunal has no jurisdiction to decide this matter even though the conduct of the C.R.O. was rather arbitrary and I might even say, unjustified. The C.R.O. never thought it part of its duty to inform Chandrabali either that his application for extension was rejected or allowed. It kept absolute *chup* in the matter. It went by its own standing instructions that it could wait only for 7 days after the expiry of the leave and after that it is entitled to strike off the name from the muster roll. Whether this is proper or not it is not for me to decide. It is very unfortunate and I may say a very unhappy position of this workman employed by the C.R.O. The C.R.O. has the avowed object of looking to the interest of the labour under its control. It professes to further the interest of the worker in all possible ways. But I do not see why it stands between its labour and the industry in which it is employed so far as the application of the standing orders of the said management. Standing Orders are more liberal than such drastic order of this organisation. But there is no help so long as this organisation exists and so long as the management in having the supply of labour through this organisation enters into an agreement with it to abide by its rules. In the present case as per Annexure I to the management's written statement I got that it wanted to employ 700 C.R.O. labourers in its collieries and for its membership of the said organisation it paid Rs. 200 as annual subscription for two years 1947-48 and 1948-49. In the same agreement it has stated that during the period of its membership it should be deemed that it has accepted and is bound by the rules and regulations and bye-laws of the organisation as will come to exist from time to time. So it becomes difficult for the management also to intervene and come to the rescue of the labour supplied by the C.R.O. and penalised by it. In this connection, I may refer to Exhibit G in which the Manager, Jamadoba colliery actually wrote to the Group Officer asking him to state if Chandrabali could be allowed to resume as he held two receipts in support of his extension of leave application. He further added, that generally they favourably considered such cases and allowed people to resume. But as per Exhibit-H I find that the Group Officer was adamant. He says that Chandrabali's name has been struck off under the standing instructions and the question of resumption of duties does not arise. He can apply for fresh recruitment and subject to availability of vacancy he may be re-enlisted in any camp. This clearly shows the sympathetic attitude of the Manager towards Chandrabali in sharp contrast to the stern attitude of the C.R.O. But he found that he was helpless. Thus the position in law is perfectly clear that so far as Chandrabali's extension of leave is concerned, neither the present Tribunal nor the management of the colliery is in a position to grant him any relief. The Tribunal has no *locus standi* and the Management is bound by its agreement.

7. I next, come to the stand taken up by Chandrabali, namely, that he is an employee out and out of the management and as such, the management can very well grant this leave and reinstate him in service. I have already pointed out the difficulties involved in this matter. The C.R.O. body cannot be ignored. In matter of leave and transfer I find from the evidence on record that though the management ultimately sanctions the leave or allows the transfer, it is the C.R.O. which exercise over-riding power. It entertains all applications for transfer and also passes orders. It entertains the leave applications and either sanctions it or recommends it to the Manager where the labour is employed for eventual sanction. Even in disciplinary matters though the management initiates the proceeding, the C.R.O. organisation is required to be present and is asked to participate in the said proceeding on behalf of labour. Even in the matter of wages I find that the C.R.O. prepares the muster rolls and draws the wages of the workmen supplied by it and then pays a portion of it to the workman concerned and results the balance to Gorakhpur to be kept at the workman's credit. This is no doubt, in the interest of the workman so that he may not squander away the wages here. But it shows the far reaching influence of the C.R.O. over the labour supplied by it to its member organisation. So the position of the C.R.O. is not akin to that of a contractor or a mining Sirdar as it has been argued by the Union. The contractor supplies labour to the industry and washes his hand clean of the affair. The workmen are controlled by the management. The contractor is merely its agent so is a mining Sirdar. Even in the case of contractors' labour the Tribunal has sometimes construed namely, that the relationship with the contractor is very thin while it is very close concerning the employer and the labour, has been construed to be the management's employees. But where it is pure and simple a case of contractor's labour the management stood aloof and in a dispute between the contractor and his workman fell outside

the operation of the industrial dispute. As a matter of that, the Industrial Tribunal has been found incompetent to go into such a question. But in this case it is not a question of any construction by implication. It is a question of broad facts and agreements. The C.R.O. though it lends its labour retains its absolute control over such labour right through. It not only effects transfer, arranges for leave, but also extends the term of employment of such labour after every 12 months. So the management even if it would, could not help Chandrabali in this matter; firstly because no application for extension was addressed to it and secondly, because it was bound by the decision of the C.R.O. Group Officer. Even if I assume for the sake of argument that Chandrabali was an employee of Jamadoba colliery, and there is no C.R.O. let me see what is the exact legal position. In that case I should suppose that the standing orders of the company would apply to him. But if I turn to the standing orders in the present case I find that section 9 bears on this matter. That is, of course, meant for direct employee of the company. But even there, miners and loaders have been excluded from its operation. Chandrabali is admittedly a Machine Cut Coal Loader. So Section 9 on its very face is inapplicable to him. Even if it is assumed to be applicable, I get that he would lose his lien unless he returns within 8 days of the expiry of leave and gives an explanation to the satisfaction of the Manager of his inability to return before his leave. These two clauses are conjoint. Both of them have got to be answered. Chandrabali does not answer any of them. Chandrabali contends that he has been given no discharge order by the management and that no charge sheet was given to him. But I think this is misconceived. The management does not assume the position of a master regarding him. So the question of discharge if there is any does not rest with the management. The question of charge sheet also does not arise. It arises only where there is continuous unauthorised absence and the workman is hauled up to meet a charge of misconduct. That is not the case here. Even if I look to the Mines Act, the explanation to Section 51 does not entitle such long leave of more than a month. So in any view of the matter, whether under the standing orders or under the Mines Act Chandrabali is not entitled to claim the leave which he wanted and in the circumstances pleaded by him. I need not go into the question whether the medical certificates are discrepant as to the date of illness because these are practically not of much moment in the present matter.

8. Considering all these facts and circumstances, I am clearly of opinion that the issue (a) should be answered in the affirmative and that the discharge is found by me to be justified. The second portion of the issue, namely, (b) does not, in view of the above finding, arise. I make no order for costs.

Dhanbad,

The 12th May, 1960.

(Sd.) G. PALIT,

Chairman,

Central Govt. Industrial Tribunal,
Dhanbad.

[No. 2/35/59-LRII.]

ORDERS

New Delhi, the 26th May 1960

S.O. 1441.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhatdee Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of the following thirteen workmen of Bhatdee Colliery was justified? If not, to what relief are they entitled and from which date?

1. Shri Ramprobesh Singh, Overman.
2. Shri Ajab Lal Lalla, Loading Clerk.

3. Shri Markande Singh, Night Guard.
4. Shri Kedar Nath Singh, Loading peon.
5. Shri Ramchand Singh, Night Guard.
6. Shri Chandrika Napit, Surface Trammer.
7. Shri Ramdeo Singh, Surface Trammer.
8. Shri Babulal Gope, Surface Trammer.
9. Shri Dhiraj Rajwar, Surface Trammer.
10. Shri Gokul Gope, Surface Trammer.
11. Shri Ratan Gope, Surface Trammer.
12. Shri Sahan Gope, Surface Trammer.
13. Shri Kasim Mian, Surface Trammer.

[No. 2/4/60-LR.II.]

S.O. 1442.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the New Bank of India Limited, New Delhi, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Delhi, constituted under section 7A of the said Act.

SCHEDULE

Whether consequent on the upgradation of the New Bank of India Limited, from Class 'D' to Class 'C' with effect from the 1st January 1959 under paragraph 64 of the award of the All India Industrial Tribunal (Bank Disputes) constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th January, 1952, as modified in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955), the workmen of the Bank would be entitled to the payment of dearness allowance on the scale awarded to those Class C Banks which have been already directed to implement the decision of the Labour Appellate Tribunal and if so, from what date?

[No. 10(50)/60-LR.II.]

S.O. 1443.—Whereas the Central Government is of opinion, that an industrial dispute exists between the employers in relation to the Sirka Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Having regard to the duties performed by Shri Abisai Khalko Clerk, Sirka colliery, whether the management of that Colliery is justified in keeping him in Grade III as per provisions of the Award of the All India Industrial Tribunal (Colliery Disputes) as modified by the Labour Appellate Tribunal? If not, to what relief is he entitled after the 7th December, 1959.

[No. 2/76/60-LR-II.]

S. N. TULSIANI, Under Secy.

New Delhi, the 31st May 1960

S.O. 1444.—The Government of the State of Orissa having nominated, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), Dr. G. C. Patnalk, Director of Health Services, Orissa, as a member representing the said State on the Medical Benefit Council, in place of Brigadier B. D. Khurana, the Central Government, in pursuance of the said section 10, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. HI-1(1)/58, dated the 1st July, 1958, namely:—

In the said notification, under the heading 'Members' and sub-heading '[Nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10]' for item (11), the following item shall be substituted, namely:—

"(11) Dr. G. C. Patnalk, Director of Health Services, Orissa, Bhubaneswar."

[No. F. HI-1(15)/60.]

S.O. 1445.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 5th June, 1960, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force), Chapter V and Chapter VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the areas within the jurisdiction of Shyampore Police Station in Uluberia Sub-Division in Howrah District in the State of West Bengal.

[F. No. HI-13(8)/60.]

BALWANT SINGH, Under Secy.

New Delhi, the 31st May 1960

S.O. 1446.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Coal Mines Bonus Scheme, published with the notification of the Government of India in the late Ministry of Labour No. PF. 16(1)/48 dated the 3rd July, 1948, namely:—

1. This Scheme may be called the Coal Mines Bonus (Amendment) Scheme, 1960.

2. In the Coal Mines Bonus Scheme, in paragraph 3, under the heading 'Exceptions',

for clause (c), the following clause shall be substituted, namely:—

"(c) he is employed in a coal mine belonging to or under the control of the National Coal Development Corporation Ltd., on pay and under conditions of service, which for the time being are similar to those obtaining in Railway establishments, or under conditions of service which entitled him to pension under the Civil Rules, or under conditions of service drawn up by the Corporation itself, or".

[No. PF-I/3(102)/58.]

P. D. GAIHA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 27th May 1960

S.O. 1447.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the posts of Studio Attendant and Studio Guard in the All India Radio, Broadcasting Stations/Offices, namely:—

1. **Short title.**—These rules may be called the All India Radio, Broadcasting Stations/Offices 'Certain Class IV Posts' Recruitment Rules, 1960.

2. Application.—These rules shall apply to the posts of Studio Attendant and Studio Guard in the All India Radio, Broadcasting Stations/Offices.

3. Number of posts, classification, etc.—The number of posts, their classification, the scales of pay attached thereto and the nature of the posts shall be as specified in columns 2 to 5 of the Schedule annexed hereto.

4. Method of recruitment, age limit and other qualifications.—The method of recruitment to the said posts, the age limit, qualifications, the period of probation, and other matters connected therewith shall be as specified in columns 6 to 13 of the said Schedule.

5. Disqualification.—Where any post referred to in rule 4 is to be filled by direct recruitment, no person who has more than one wife living or is married to a person having a wife living shall be eligible for appointment to that post:

Provided that the Central Government may, in any exceptional case and for reasons to be recorded in writing, exempt any person from the operation of this rule.

SCHEDULE

Name of Post	No. of posts	Scale of pay	Classification	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees
1	2	3	4	5	6	7	8
Studio Attendant	59	Rs. 40-2-60	Class IV	Non-selection	25 years : Relaxable in the case of Scheduled Castes and Tribes and other special categories in accordance with the orders issued by the Government of India from time to time.	Middle school standard, well built, active and able to speak and understand English.	No
Studio Guard	23	Rs. 35-1-50	Do.	Do.	Do.	Do.	Do.
Period of probation, if any	Method of recruitment : whether direct or by promotion or transfer, and percentage of the vacancies to be filled by various methods		In case of recruitment by promotion/transfer grades from which promotion to be made		If a D.P.C. exists, what is its composition		Circumstances under which UPSC is to be consulted in making recruitment
9	10	11		12		13	
One year	By promotion	Studio Guards and Daftries.		(i) Head of Office/Station. (ii) Assistant Station Director (Administration). (Where the Assistant Station Director is in-charge of a Station, one of the Programme Executives may be nominated. (iii) Superintendent/Head Clerk.		Consultation with the UPSC is not necessary.	
Do.	Do.	Peons				Do.	

[No. 8/27/59-B (A)]
J. D. JAIN, Under Secy.